IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 23923 of 2004

Between:

A.Krishna Mohan S/o Late A. Subba Rao
R/o Sarawswathi Nagar Colony, Tirumulgherry (Post),
Secunderabad

..... PETITIONER

AND

1 The Chairman and Managing Director,
Rural Electrification Corporation Ltd.,
Core-4, Scope Complex,
7 Lodhi Road, New Delhi
2 The General Manager (WR&SPA) and Appellate Authority,
Rural Electrification Corporation Ltd., Core-4,
Scope Complex, 7 Lodhi road, New Delhi
3 The Chief (STD) and Disciplinary Authority
Rural Electrification Corporation Ltd., Core-4,
Scope Complex,
7 Lodhi road, New Delhi

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate order, direction, or Writ more particularly one in the nature of Certiorari calling for records in order No. REC/Vig.11/132/96-per/1942/6302 dt 26-08-99 on the file of the 1st respondent and consequently set aside the orders dated 26-08-99and direct the 1st respondent to pay the amounts stopped due to withholding of 2 increments and consequently withholding of promotions as Asst. Chief Accounts Officer in view of the Judgment.

Counsel for the Petitioner: MR.C.KODANDA RAM

Counsel for the Respondents : MR.R.K.SURI FOR RVAK-1 TO 3

The Court at the admission stage made the following :

ORDER:

None appears for the petitioner.

The present writ petition is filed to call for the records in Order No.Rec/Vig.11/132/96-Per/1942/6302, dated 26-08-1999 on the file of the first respondent.

The Reviewing Authority through impugned order dated 26-08-1999 ordered penalty of withholding of two increments without cumulative effect.

The respondents filed a counter affidavit stating that the writ petition is liable to be dismissed on the ground that it is filed after a lapse of six years.

No explanation was offered by the petitioner for the lapse of six years except stating that he was hospitalized for a considerable period and producing the documents given by the Apollo Hospital for taking treatment in the year 2001. In the absence of any explanation and since the penalty imposed is a minor penalty, I am of the view that the writ petition is liable to be dismissed and is accordingly dismissed at the stage of admission. Learned counsel for the petitioner submitted that during the pendency of the writ petition, final orders have been passed on 27-01-2004 and, therefore, petitioner is at liberty to challenge the same. There shall be no order as to costs.

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21-02-2005

vs/usd

To

1 The Chairman and Managing Director,
Rural Electrification Corporation Ltd.,

Core-4, Scope Complex,
7 Lodhi Road, New Delhi

2 The General Manager (WR&SPA) and Appellate Authority,
Rural Electrification Corporation Ltd., Core-4,
Scope Complex, 7 Lodhi road, New Delhi

3 The Chief (STD) and Disciplinary Authority
Rural Electrification Corporation Ltd., Core-4,
Scope Complex,
7 Lodhi road, New Delhi

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THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 23923 of 2004

Dated: 21-02-2005

vs